



## **PLANNING COMMISSION AGENDA**

**Thursday, May 17, 2012**

**6:30 p.m.**

**Coon Rapids City Center**

**Council Chambers**

---

### **Call to Order**

### **Pledge of Allegiance**

### **Roll Call**

### **Adopt Agenda**

Approval of Minutes April 19, 2012

Approval of minutes from previous meeting(s)

### **Approval of Minutes of April 19, 2012 Meeting**

### **New Business**

1. Planning Case 12-4, Home Occupation Permit CUP, Delacruz, 10657 Xavis St.
2. PC 12-8 Ordinance Amendment to increase the maximum driveway width in LDR1 and LDR2 zoning districts
3. PC 12-10 Accessory Garages/Storage Buildings in LDR1 and LDR2 zoning districts
4. PC 12-9 Code Change to limit overnight truck and trailer parking in commercial and office districts

### **Other Business**

### **Adjourn**



**Planning Commission Regular**

**Meeting Date:** 05/17/2012

**SUBJECT:** Approval of Minutes April 19, 2012

---

---

**Attachments**

**Minutes April 19, 2019**

---

---

## **COON RAPIDS PLANNING COMMISSION MEETING OF APRIL 19, 2012**

---

### **CALL TO ORDER**

---

The regular agenda meeting of the Coon Rapids Planning Commission was called to order by Chairman Geisler at 6:30 p.m.

Members Present: Chairman Jenny Geisler, Commissioners Cedric Lattimore, Donna Naeve, Wayne Schwartz, Zachary Stephenson and Julia Stevens.

Members Absent: Commissioner Jonathan Lipinski.

Staff Present: Community Development Director Marc Nevinski and Planner Scott Harlicker.

---

### **PLEDGE OF ALLEGIANCE**

---

Chairman Geisler led the Commission in the Pledge of Allegiance.

### **ADOPTION OF THE AGENDA**

---

MOTION BY COMMISSIONER SCHWARTZ, SECONDED BY COMMISSIONER STEVENS, TO ADOPT THE AGENDA. THE MOTION PASSED UNANIMOUSLY.

### **APPROVAL OF THE MARCH 15, 2012 REGULAR MINUTES AND MARCH 15, 2012 WORKSHOP**

---

Chairman Naeve requested a change on Page 2, under new business the fifth paragraph. She noted there was an incomplete sentence and the word "if" should be removed.

MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER LATTIMORE, TO APPROVE THE PLANNING COMMISSION MINUTES OF THE REGULAR MEETING OF MARCH 15, 2012, AS AMENDED. THE MOTION PASSED UNANIMOUSLY.

MOTION BY COMMISSIONER SCHWARTZ, SECONDED BY COMMISSIONER LATTIMORE, TO APPROVE THE PLANNING COMMISSION MINUTES OF THE WORKSHOP MEETING OF MARCH 15, 2012, AS PRESENTED. THE MOTION PASSED UNANIMOUSLY.

### **NEW BUSINESS**

---

1. CASE 12-3 – CONDITIONAL USE PERMIT – HOME OCCUPATION – BAUDINO – 1656 127<sup>TH</sup> AVENUE – PUBLIC HEARING
- 

It was noted the applicant is requesting a conditional use permit for gardening classes as a home occupation. Mr. Harlicker explained that classes would be held in the home with tours of the

exterior gardens. The classes would be held by appointment only with no more than three students at one time. The driveway would accommodate the cars onsite. Staff recommended approval of the home occupation permit.

Chairman Geisler opened and closed the public hearing at 6:36 p.m., as no one wished to address the Planning Commission.

Commissioner Naeve questioned if this home occupation should allow three students at a time. Planner Harlicker indicated Staff was comfortable with allowing three students.

Commissioner Stephenson commented the nature of this business would allow for Ms. Baudino to teach three students at the same time.

Chairman Geisler asked if the Commission was comfortable with allowing three students on site at the same time.

Commissioner Schwartz indicated the driveway appears to be more than adequate in size to hold four vehicles. He did not see there would be any parking concerns.

Commissioner Lattimore agreed stating this was a unique home business.

Commissioner Naeve questioned if the number of participants in the class should be limited so as not to exceed three. She expressed concern with vehicle parking and recommended the number of clients be limited to two.

Commissioner Lattimore and Commissioner Stephenson agreed with Staff's recommendation allowing for three students.

Community Development Director Nevinski commented there was a restriction on parking for home occupations. He stated at most four vehicles could be parked in this driveway. He indicated the number of cars in the driveway would be more impactful on the neighborhood than the number of clients attending classes.

Chairman Geisler inquired if the Commission should revise Condition #2 limiting the number of vehicles allowed in the driveway.

Commissioner Stephenson was in favor with Condition #2 as written.

Commissioner Schwartz reviewed the home occupation standards stating the homeowners vehicles had to be parked in the driveway or garage. He noted the applicant requested three clients and recommended this be made a condition for approval.

Commissioner Stevens did not object to Ms. Baudino holding classes with four students if four cars could be parked in her driveway.

Marcia Baudino, 1656 127<sup>th</sup> Avenue, stated she had not requested a limit to the size of the classes. She reported she lives in a small neighborhood and has held classes in the past for

friends and family. Ms. Baudino requested she be allowed to hold classes with the flexibility of up to four vehicles in her driveway.

Commissioner Naeve requested the Commission consider the standard that could be set by allowing 8-12 clients per gardening class. She indicated she would not be in favor of this in her neighborhood and should perhaps, be brought to another setting.

Commissioner Stephenson reiterated that home occupations are allowed so long as all vehicles associated with the home occupation are parked in the driveway. This would limit the number of people allowed at each class. He stated the current requirements were sufficient to address the parking concerns.

**MOTION BY COMMISSIONER STEVENS, SECONDED BY COMMISSIONER STEPHENSON, TO APPROVE PLANNING CASE 12-3, THE HOME OCCUPATION CONDITIONAL USE PERMIT WITH THE FOLLOWING CONDITIONS:**

1. CLASSES ARE LIMITED TO APPOINTMENT ONLY AND NO MORE THAN 30 HOURS PER WEEK MONDAY THROUGH SATURDAY BETWEEN THE HOURS OF 9:00 A.M. AND 9:00 P.M.
2. ALL VEHICLES ASSOCIATED WITH THE HOME OCCUPATION WILL BE PARKED IN THE DRIVEWAY.
3. COMPLIANCE WITH TITLE 11, CITY CODE OF COON RAPIDS.

THE MOTION PASSED 5-1 (NAEVE OPPOSED).

This is a decision made by the Planning Commission and shall stand unless appealed to the City Council within ten days after notification of the decision.

## **2. 2011 PLANNING COMMISSION ANNUAL REPORT**

---

Community Development Director Nevinski recapped the activity involved in the 2011 Planning Commission Annual report with the Commission. He stated this information would be forwarded to the City Council next month.

Chairman Geisler clarified she was in attendance at the Planning Commission meetings in November and December.

**COMMISSIONER NAEVE, SECONDED BY COMMISSIONER SCHWARTZ, TO ACCEPT THE 2011 PLANNING COMMISSION ANNUAL REPORT. THE MOTION PASSED UNANIMOUSLY.**

This is a recommendation to the City Council that will be considered at the May 1, 2012 City Council meeting.

## **OTHER BUSINESS**

---

Chairman Geisler noted the Planning Letter was available online for the Commissioners.

**ADJOURN**

---

**MOTION BY COMMISSIONER SCHWARTZ, SECONDED BY COMMISSIONER STEVENS, TO ADJOURN THE MEETING AT 6:57 P.M. THE MOTION PASSED UNANIMOUSLY.**

Recorded and Transcribed by,  
Heidi Guenther  
Planning Commission Recording Secretary



## Planning Commission Regular

1.

**Meeting Date:** 05/17/2012

**Subject:** Planning Case 12-4, Home Occupation Permit CUP, Delacruz, 10657 Xavis St.

**From:** Scott Harlicker, Planner

---

### INTRODUCTION

The applicant is requesting a Conditional Use Permit to operate a catering business as a home occupation.

### ACTIONS

Conduct a public hearing

Decision by Planning Commission

Appeal to City Council Available

### 60 DAY RULE

The applicant submitted this application on April 9, 2012. In order to comply with the requirements of Minnesota Statute §15.99 (60 day requirement), the City must approve or deny the application by June 8, 2012.

### LOCATION

See attached location map.

	Existing Use	Comprehensive Plan	Zoning
<b>Subject Property</b>	Single Family Residential	Low Density Residential	LDR2
<b>North</b>	Single Family Residential	Low Density Residential	LDR2
<b>South</b>	Single Family Residential	Low Density Residential	LDR2
<b>East</b>	Parkland	Low Density Residential	LDR2
<b>West</b>	Single Family Residential	Low Density Residential	LDR2

### DISCUSSION

The applicant request approval of a catering business to roast pigs for parties. The applicant is proposing to roast pigs on weekends in a backyard cooker for customers' parties. He will be using an existing shed to house the cookers. Customers would come to the applicant's home to pick up the pigs and take them to the party. The hours of operation would be between 8am and 4pm, Saturday, Sunday and special requests on holidays. The number of customers coming to his home will be one or two per day. The issue that is triggering the need for the CUP is that customers will be coming to the residence. The applicant will be required to receive all necessary Anoka County Health Department permits.

### Smoke and Odor

The proposed catering business involves cooking pigs in over a grill. This process will generate smoke and odors. The area in which the applicant lives is zoned LDR2 and consists of lots around 10,800 square feet. There is also a city park and trail behind the applicant's house. The accessory building that in which the cookers will be placed is located in the rear of the lot near the park and trail.

One of the criteria when considering a home occupation is will the proposed business generate impacts that are discernible to the surrounding properties. Because of the length of time needed to cook the pigs, cooking on weekends, and the proximity of surrounding residences and parkland/trail, it is inevitable that the smoke and odor will impact the surrounding properties.

#### Anoka County Health Department Permit

The applicant will also have to receive a permit from the County Health Department. A representative of the department indicated that the issuance of a permit would likely require the building have plumbing for a 3 compartment sink and a fire suppression class 1 exhaust hood.



***Compliance with Standards for Home Occupations, Section 11-604(5)***

<b>Home Occupation Standard–11-604(5)</b>	<b>Staff Comment</b>
(a) Home occupation is incidental and secondary and does not change the residential character of the property.	<b>OK</b> - The home occupation involves the use of an outdoor cooker.
(b) No discernible impacts to surrounding properties.	<b>NO</b> - The process of cooking the pigs will generate smoke and odors that will be noticeable from the nearby residences and the adjacent park and trail. (see discussion above)
(c) No internal or external alterations are made that are not customarily found in dwellings.	<b>NO</b> - No alterations to the building are proposed. However, alternations not customarily found in dwelling are likely necessary to obtain the necessary permit for the business from the County Health Department.
(d) If the home occupation is carried on in the garage, the minimum amount of required garage space is maintained as garage space.	<b>NA</b>
(e) All vehicles brought to the property are parked in the driveway. Residents' vehicles are not parked in the streets to provide these driveway parking spaces. No parking spaces are improved to provide for the home occupation. Any vehicle used in the business is parked in the driveway or garage.	<b>OK</b> – Customers' vehicles will be parked in the existing driveway.
(f) No more than one person who does not reside on the premises works on the premises (only permitted for home occupations that would not otherwise require a conditional use permit).	<b>OK</b> – No outside employees will work on the premises.
(g) No delivery vehicles larger than 26,000 pounds gross vehicle weight.	<b>OK</b> – The home occupation will not involve regularly sending or receiving shipments.
(h) Prohibited home occupations include: repair of internal combustion engines of more than 12 horse power; body shops; machine shops; welding; ammunition manufacturing; flea markets; motor vehicle repair maintenance, service or sale; firearm sales; tattoo parlors or other objectionable uses as determined by the City Council.	<b>OK</b>
(i) No more vehicles on parcel than authorized by 11-1800.	<b>OK</b>
(j) Acceptable home occupations include, but are not limited to: beauty shops, taxidermy shops, antique shops, repair shops, seamstress/tailoring/alteration shops, catering, photography studio, clock making shops, pet grooming, repair of small internal combustion, upholstery shops, accounting, bookkeeping and medical practitioner's office.	<b>OK</b>

## **RECOMMENDATION**

In Planning Case 12-4:

a) **Deny** the home occupation conditional use permit based on the following findings:

1. The proposed business will generate smoke and odors that will be discernible to and adversely affect the surrounding residences and the city park/trail.
2. The proposed business will require alterations to the building which are not customarily found in dwellings.

b) **Adopt** the attached findings-of-denial.

---

## **Attachments**

Location Map

narrative

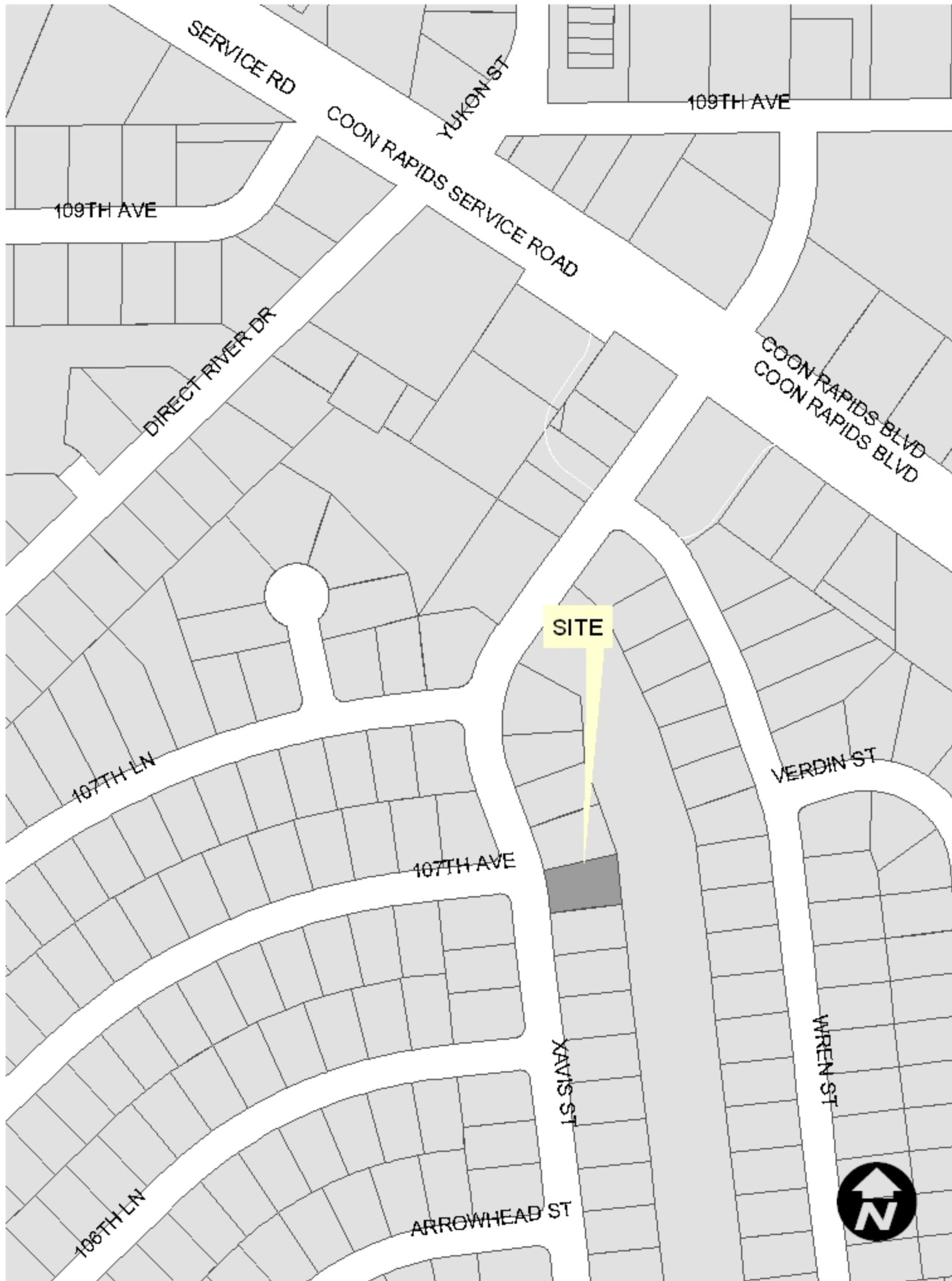
site plan

air photo

floor plan

Findings for Denial

---



The proposed business is to cook (roasted baby pig) for those people that celebrate their parties like birthday parties, wedding parties, baptism parties, graduation parties or any kind of party.

The business is for Saturdays and Sundays only except if there is an emergency need on holidays.

The operation hours are Start (8:00) Eight o'clock in the morning to End (4:00) four o'clock in the afternoon.

Number of customers is (1 to 2) on Saturdays and Sundays.

THIS IS THE <sup>SITE</sup> (FLOOR PLAN) OF MY RESIDENCE

10657 XAVIS ST. NW  
COON RAPIDS, MN 55433

LOT 5 BLOCK 14  
ORRIN THOMP R VIEW TER

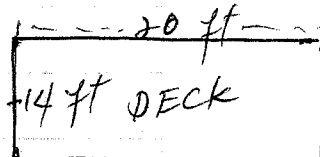
TRAIL

STORAGE  
10 ft  
10 ft

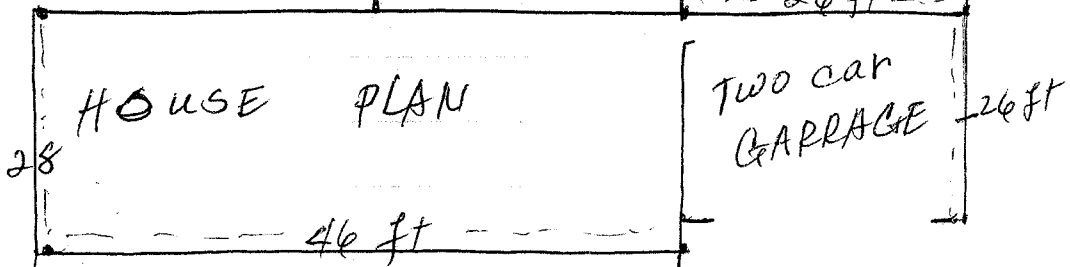


THIS IS THE  
PROPOSE BUILDING  
FOR BUSINESS

151 ft



ONE  
SEPARATE  
GARRAGE 26 ft  
14 ft

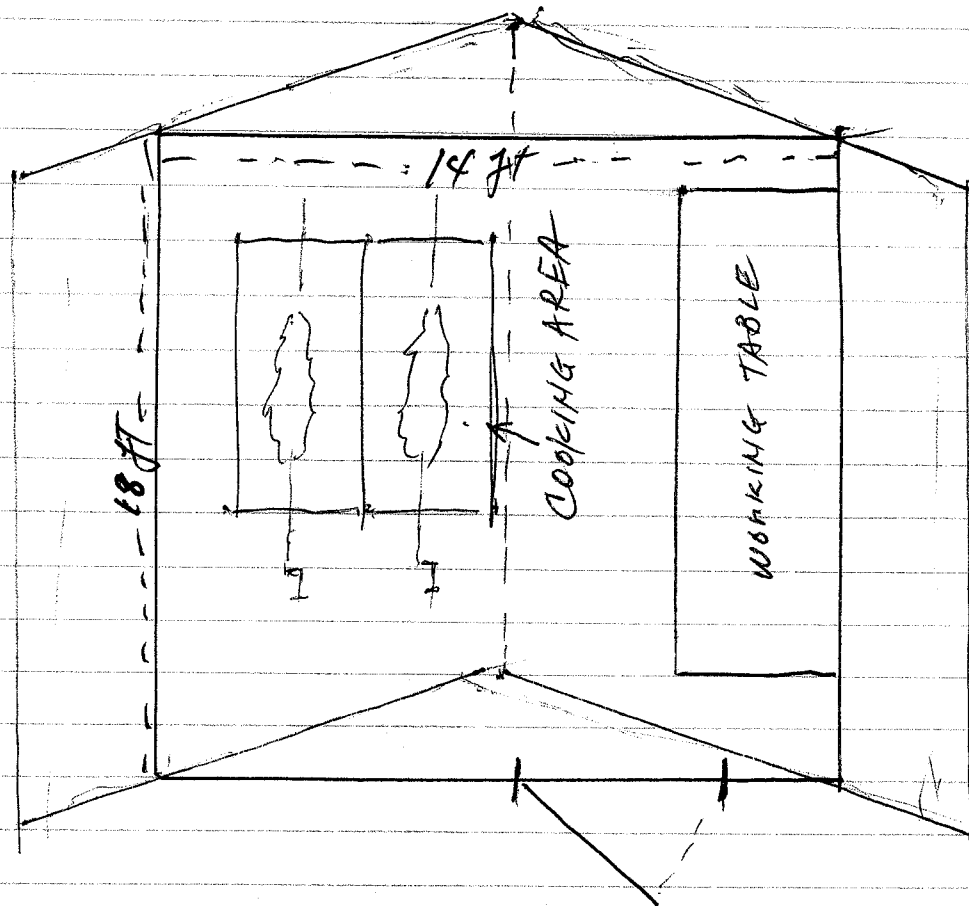


95 ft

XAVIS ST.

# Location Map





FLOOR PLAN and TOP VIEW  
OF THE PROPOSE SMALL BUSINESS  
BUILDING

STATE OF MINNESOTA

CITY COUNCIL

COUNTY OF ANOKA

CITY OF COON RAPIDS

---

IN THE MATTER OF APPLICATION OF Geronimo Delacruz for conditional use permit for a home occupation

---

PLANNING CASE 12-4

---

STATEMENT OF REASONS FOR DENIAL PURSUANT TO MINN. STAT. § 15.99, Subd. 2.

This matter came before the Coon Rapids Planning Commission on May 17, 2012 for a final decision.

Based upon the testimonies received and upon all other information brought before the Commission, the Commission hereby denies the application based on the following reason(s):

1. The proposed business will generate smoke and odors that will be discernible to and adversely affect the surrounding residences and the city park/trail.
2. The proposed business will require alterations to the building which are not customarily found in dwellings.

This decision will become a final agency decision unless appealed to the Coon Rapids City Council within ten days.

Adopted by the Coon Rapids Planning Commission on a \_\_\_\_ to \_\_\_\_ vote this

17th day of May, 2012.

\_\_\_\_\_, Chairman

---

ATTEST:

Director of Community Development (or designee)





## **Planning Commission Regular**

**2.**

**Meeting Date:** 05/17/2012

**Subject:** PC 12-8 Ordinance Amendment to increase the maximum driveway width in LDR1 and LDR2 zoning districts

**From:** Scott Harlicker, Planner

---

### **INTRODUCTION**

The city is proposing an ordinance amendment to increase the maximum driveway width in the LDR1 and LDR2 zoning districts and establish design standards for off-drive parking areas.

### **ACTIONS**

Conduct a public hearing

Recommendation by Planning Commission

Introduction of proposed ordinance by City Council on: June 5th

### **60 DAY RULE**

N/A

### **LOCATION**

N/A

### **DISCUSSION**

As part of the continuing process of updating Title 11, staff has been reviewing the zoning code and provisions of the property maintenance code with the intention of making sure they are consistent and supportive of each other. Parking trailers and RVs alongside garages has been an ongoing issue in the city for a number of years. The code currently allows parking in front and side yards only on an improved surface. Improved surfaces include asphalt, concrete or pavers. The maximum drive way width (36 feet) often precludes widening the driveway to provide access to these accessory off-drive parking areas. A related question is should these off-drive parking areas be required to be paved.

#### **Driveway Width and Off-Drive Parking Area Width**

To provide access to the off-drive parking areas staff is proposing that the maximum driveway width be increased to a maximum of 40 feet or 50 percent of the lot width, whichever is less. If the lot is less than 72 feet wide, they would still be allowed a 36 foot wide driveway. The maximum width would be measured between the front of the garage to 20 feet from the front of the garage and would include the off-drive parking area. At 20 feet from the garage the driveway would have a maximum width of 36 feet (what the current code allows). This would allow angled access to the parking area. The maximum driveway width at the street right-of-way would remain unchanged (24feet).

The maximum width of the off-drive parking area would be 12 feet. and could not extend more than 24 feet from the front of the garage to the rear. It could extend to the property line.

### Surface Material

#### Off-Drive Parking Areas

The current code requires that these side parking areas be finished with an improved surface. Since they typically function as storage space and not an active driveway, staff is proposing allowing alternative materials be used as a surface. These materials include impervious pavers, patio blocks or concrete pavers, or porous paving grids. Typically these types of materials can be installed by a homeowner. They are proposed as a compromise between materials such as concrete and bituminous that require professional installation and a gravel material.

If the Commission prefers to allow a stone or gravel material, the Engineering Department recommends a 3/4 inch fractured stone. It would allow water to percolate but would not shift like landscaping stone. It also comes washed so there is no dirt or gravel that will prohibit drainage and track off site. The use of stone would require a suitable edging material to control the spread of the stones.

The entire off-drive parking area would have to be finished and extend to the drip line of the vehicle that is parked on it. The finish material would have to be installed per standards on file with the city or per manufacturer's specifications.

#### Driveways

The current code requires that driveways be finished with an improved surface. Finish surface materials include concrete, bituminous, brick pavers or similar hard surface material approved by the Community Development Director. No changes are proposed for this standard.

### New Definition

Off-Drive Parking Area - An off street area connected to a driveway intended for the parking of vehicles.

### **RECOMMENDATION**

In Planning Case 12-8, staff recommends that the Planning Commission recommend approval of the proposed ordinance amendment to amend Sections 11-605(10) and 11-705(10) to increase the maximum driveway width and establish a definition and design standards for off-drive parking areas.

---

### **Attachments**

proposed code changes

Diagram Off Drive Parking Area

---

11-605(10) and 11-705(10)

(10) Parking and Drives.

(a) The minimum number of required off-street parking spaces for a single family dwelling is three. At least two spaces must be in an enclosed garage.

(b) A driveway must have a minimum width within the street right-of-way of 10 feet per dwelling unit, excluding the entrance radii. Within the street right-of-way, the total width of all driveways accessing the same street frontage cannot exceed 24 feet per dwelling unit, excluding the entrance radii.

(c) No more than 50 percent of the lot area located between the structure and the front property line may be improved as driveway and parking surfaces, provided, however, that the maximum pavement width, excluding a required turnaround, cannot exceed 36 feet.

(d) Driveways can be constructed up to the property line. However, driveways and parking cannot be located within the sight triangle described in Section 11-1825(1).

(e) All driveways ~~and parking areas~~ must be improved with concrete, bituminous, brick pavers or similar hard surfaced material as approved by the Director. Other materials, including decorative landscape rock, crushed rock, gravel, sand, bare soil, or similar materials, are prohibited for use as driveway or parking surfaces. Driveways must be constructed and maintained according to standards on file in the Community Development Department. ~~If the roadway is not paved, the driveway need not be paved until such time as the owner is given notice by the City. Within 30 days after completion of the paving of the roadway, the City must notify the owner in writing that the driveway must be paved. The notice will specify a date for completion of the driveway paving, which date will be no less than six months nor more than one year from the date of the notice.~~

(f) Off-Drive Parking Areas:

1. Must be attached to the side of the garage and to the driveway. See Arrows A on diagram X.

2. Must not extend more than 24 feet from the front of the garage to the rear. See Dimension B.

3. May extend to the side property line, provided, they must be no wider than 12 feet. See Dimension C.

4. Must not extend more than 20 feet from the front of the garage towards the street. See Dimension D.

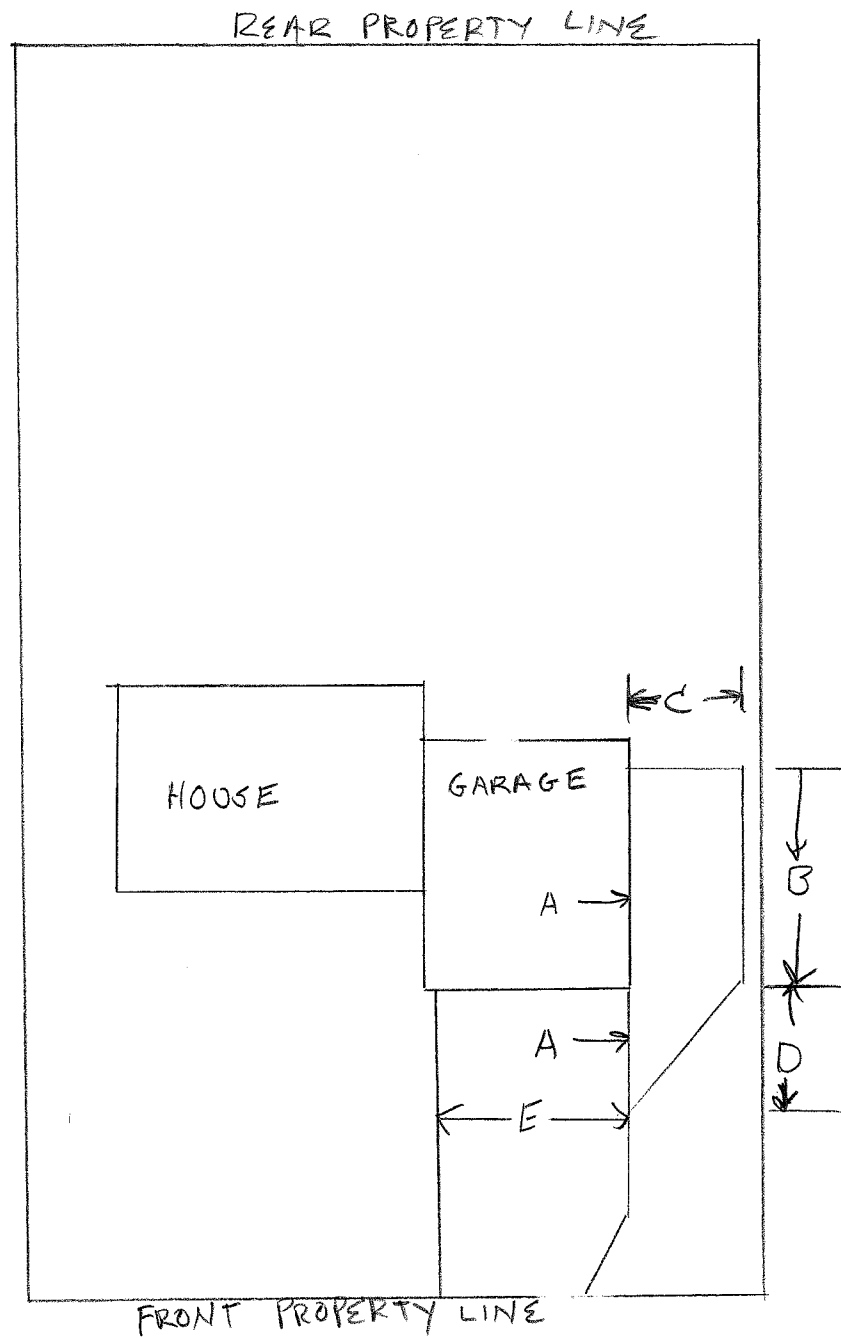
5. The total width of the driveway (dimension E) and the Off-Drive Parking Area (dimension C) cannot not exceed 40 feet or 50 percent of the lot width.

(g) Off-Drive Parking Areas must be finished with an improved surface material, permeable pavers, patio blocks or concrete pavers, porous paving grids or similar material as approved by the Director. The finished area must be a continuous surface, of sufficient width to so as to include the drip line of the vehicle that is parked on it and maintained weed free. The finished material must be installed per standards on file with the city or per manufacture's specifications.

(h) Driveway access to arterial and collector streets is prohibited, unless approved by the City Council. Where a driveway access is permitted to an arterial or collector street, a driveway turnaround must be provided in order to eliminate the need for vehicles to back onto the street when exiting.

(i) Parking shall be prohibited within the front and side yards except on improved surfaces

New Definition – Off Drive Parking Area – An off street area connected to a driveway intended for the parking of vehicles.





## **Planning Commission Regular**

**3.**

**Meeting Date:** 05/17/2012

**Subject:** PC 12-10 Accessory Garages/Storage Buildings in LDR1 and LDR2 zoning districts

**From:** Scott Harlicker, Planner

---

### **INTRODUCTION**

The city is proposing an ordinance amendment to eliminate the restriction of only one detached garage/storage building per dwelling unit in the LDR1 and LDR2 zoning districts.

### **ACTIONS**

Conduct a public hearing

Recommendation by Planning Commission

Introduction by City Council on: June 5th

### **60 DAY RULE**

N/A

### **LOCATION**

N/A

### **DISCUSSION**

The proposed code change would allow more than one detached garage/storage building. The current code limits the number of detached garage/storage buildings to one. This language was part of an amendment that was approved in 1997. The amendment also set the limit of a maximum of three detached accessory structures and increased the maximum allowed detached garage/storage building to 1,200 sf.

Under the current code, a property owner with an attached garage can construct a detached garage/storage building to store a motor vehicle or major recreation equipment. However, a property owner with a detached garage does not have this option. This change will allow property owners with a detached garage to construct a second detached garage for storing other motor vehicles, recreational vehicles, snowmobiles and boats. The code prohibits parking these types of vehicles in accessory structures other than garage/storage buildings.

A search of the property data base found 3,006 single family homes with a detached garage. That is about 20% of the total single family homes. Most of the homes are located on smaller lots, around 11,000 square feet in size, and are located in the older areas of the city such as the Northdale Additions, Thompson Heights Additions and Woodcrest subdivision. The proposed change would only impact the homes with detached garages. It will not change the maximum amount (1,200 sf) of garage/storage space allowed. The total number of detached accessory structures currently allowed is three, that will not change.

## **RECOMMENDATION**

In Planning Case 12-10, staff recommends that the Planning Commission recommend approval of the proposed ordinance amendment to amend Sections 11-605(5) and 11-705(5) to allow more than one detached garage/storage structure.

---

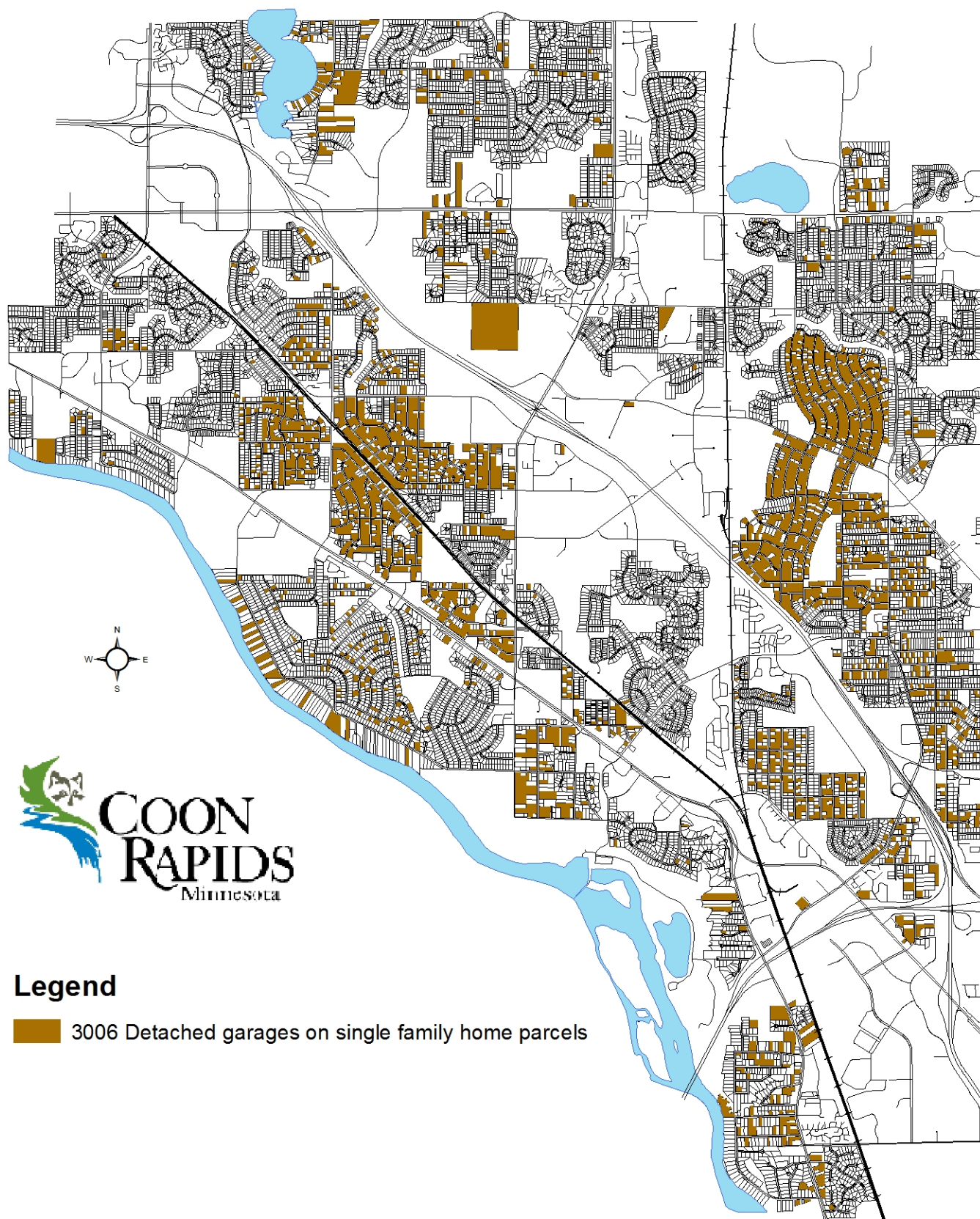
## **Attachments**

Map of Affected Properties

Proposed code change LDR2

Proposed code change LDR1

---



Methodology: Selected building footprints with area between 300-1000 sq ft to be a garage, and they had to be within 3 feet of a driveway line and be on a parcel with a pca code of 211% (15,360)



(5) Garage/Storage Structures and Accessory Structures.

(a) Each single family dwelling or two family dwelling unit is permitted ~~one (1) detached garage/storage structure of up to a total of 1200 square feet of attached or detached garage/storage space, in floor area less the floor area of any garage/storage space attached to the principal structure. The total floor area of garage/storage space, detached and attached to the principal structure, shall not exceed 1200 square feet.~~ At least 484 square feet in floor area of garage/storage structure per single family dwelling shall be accessible to vehicle storage and shall have a minimum width of 22 feet and a minimum depth of 22 feet. The minimum width of a detached garage/storage structure may be reduced to 12 feet provided the total floor area of the detached garage/structure and an attached garage/storage structure equals or exceeds 528 square feet and the attached garage/storage structure has a minimum width of 12 feet and a minimum depth of 22 feet. At least 264 square feet in floor area of garage/storage structure per two family dwelling unit shall be accessible to vehicle storage and shall have a minimum width of 12 feet and a minimum depth of 22 feet. Detached garage/storage structures in excess of 900 square feet in floor area shall meet the same setback requirements as the principal structure. The architectural style, color, and facing material of a garage/storage structure shall be compatible with the principal structure. [Revised 2/4/97, Ordinance 1597][Revised 6/3/97, Ordinance 1605][Revised 2/15/00, Ordinance 1687]

[Revised 6/3/03, Ordinance 1804]

(b) In addition to structures provided for in Section 11-705(5)(a) above, each dwelling or dwelling unit is permitted other freestanding accessory structures such as an outdoor living room, fish house, gazebo, greenhouse, or playhouse. No accessory structure permitted under this subsection, whether of singular or multiple use, shall exceed 200 square feet in floor area. No accessory structure permitted under this subsection shall have a door exceeding six feet in width. The total floor area of all such accessory structures permitted under this subsection shall not exceed 400 square feet.[Revised 2/4/97, Ordinance 1597][Revised 6/3/97, Ordinance 1605][Revised 2/15/00, Ordinance 1687]

(c) The number of detached garage/storage structures and other accessory structures shall not exceed three per dwelling. [Revised 2/4/97, Ordinance 1597]

(d) No accessory structure shall be constructed on any lot prior to the time of construction of the principal structure.[Revised 2/4/97, Ordinance 1597]

(e) An accessory structure larger than 120 square feet of floor area so located such that any one of its walls is within six feet of a wall of any other structure shall be attached to and made structurally part of the other structure.[Revised 2/4/97, Ordinance 1597][Revised 12/2/97, Ordinance 1624][Revised 9/2/03, Ordinance 1815]

(f) An accessory structure 120 square feet in floor area or larger shall have a permanent concrete slab under the entire structure.[Revised 2/4/97, Ordinance 1597][Revised 6/3/97, Ordinance 1605][Revised 12/2/97, Ordinance 1624]

(g) For the purpose of this section, floor area shall mean the gross horizontal area of the main floor of a structure plus the horizontal area of any other floor level having a minimum vertical clearance or ceiling height of five feet.[Revised 6/3/97, Ordinance 1605]

(h) Accessory structures other than garage/storage structures shall not be used for the storage of motor vehicles or major recreational equipment.[Revised 2/4/97, Ordinance 1597][Revised 6/3/97, Ordinance 1605]

(i) The lot coverage restriction of Section 11-705(8) shall apply to all structures permitted by this Section 11-705(5).[Revised 2/4/97, Ordinance 1597][Revised 6/3/97, Ordinance 1605]

(5) Garage/Storage and Other Accessory Structures.

(a) Each dwelling is permitted ~~one detached garage/storage structure of up to 1200 square feet of attached or detached garage/storage space in floor area less the floor area of any garage/storage space attached to the principal structure. The total floor area of garage/storage space, detached and attached to the principal structure, shall not exceed 1200 square feet.~~ Notwithstanding the preceding, the maximum floor area of garage/storage space attached to the principal structure may be increased up to 1600 square feet in lieu of any detached garage/storage structure and any free standing accessory structures otherwise permitted under paragraph (b) of this Section, if the total floor area of any attached garage/storage space does not exceed 80 percent of the finished floor area of the principal structure. At least 484 square feet in floor area of garage/storage structure per dwelling shall be accessible to vehicle storage and shall have a minimum width of 22 feet and a minimum depth of 22 feet. The minimum width of a detached garage/storage structure may be reduced to 12 feet provided the total floor area of the detached garage/structure and an attached garage/storage structure equals or exceeds 528 square feet and the attached garage/storage structure has a minimum width of 12 feet and a minimum depth of 22 feet. Detached garage/storage structures in excess of 900 square feet in floor area shall meet the same setback requirements as the principal structure. The architectural style, color, and facing material of a garage/storage structure shall be compatible with the principal structure.[Revised 2/4/97, Ordinance 1597][Revised 6/3/97, Ordinance 1605][Revised 2/15/00, Ordinance 1687][Revised 6/4/02, Ordinance 1764][Revised 6/3/03, Ordinance 1804]

(b) In addition to structures provided for in Section 11-605(5)(a) above, each dwelling is permitted other freestanding accessory structures such as an outdoor living room, fish house, gazebo, greenhouse, or playhouse. No accessory structure permitted under this subsection, whether of singular or multiple use, shall exceed 200 square feet in floor area. No accessory structure permitted under this subsection shall have a door exceeding six feet in width. The total floor area of all such accessory structures permitted under this subsection shall not exceed 400 square feet.[Revised 2/4/97, Ordinance 1597][Revised 6/3/97, Ordinance 1605][Revised 2/15/00, Ordinance 1687]

(c) The number of detached garage/storage structures and other accessory structures shall not exceed three per dwelling.[Revised 2/4/97, Ordinance 1597]

(d) No accessory structure shall be constructed on any lot prior to the time of construction of the principal structure.[Revised 2/4/97, Ordinance 1597]

(e) An accessory structure larger than 120 square feet of floor area so located such that any one of its walls is within six feet of a wall of any other structure shall be attached to and made structurally part of the other structure.[Revised 2/4/97, Ordinance 1597]

[Revised 12/2/97, Ordinance 1624][Revised 2/15/00, Ordinance 1687][Revised 9/2/03, Ordinance 1815]

(f) An accessory structure 120 square feet in floor area or larger shall have a permanent concrete slab under the entire structure.[Revised 2/4/97, Ordinance 1597] [Revised 6/3/97, Ordinance 1605][Revised 12/2/97, Ordinance 1624]

(g) For the purpose of this section, floor area shall mean the gross horizontal area of the main floor of a structure plus the horizontal area of any other floor level having a minimum vertical clearance or ceiling height of five feet.[Revised 6/3/97, Ordinance 1605]

(h) Accessory structures other than garage/storage structures shall not be used for the storage of motor vehicles or major recreational equipment.[Revised 2/4/97, Ordinance 1597][Revised 6/3/97, Ordinance 1605]

(i) The lot coverage restriction of Section 11-605(8) shall apply to all structures permitted by this Section 11-605(5).[Revised 2/4/97, Ordinance 1597][Revised 6/3/97, Ordinance 1605]



## **Planning Commission Regular**

**4.**

**Meeting Date:** 05/17/2012

**Subject:** PC 12-9 Code Change to limit overnight truck and trailer parking in commercial and office districts

**From:** Scott Harlicker, Planner

---

### **INTRODUCTION**

The City is proposing a code change to limit overnight parking of trucks over 26,000 pound gross vehicle weight, semi tractors and/or trailers in commercial and office districts.

### **ACTIONS**

Conduct a public hearing

Recommendation by Planning Commission

Introduction by City Council on: June 5th

### **60 DAY RULE**

N/A

### **LOCATION**

N/A

### **DISCUSSION**

The city has noticed an increase in the number of large trucks, semi-tractors and trailers using shopping center parking lots for long term overnight parking. This practice has negative impacts on the city and the shopping center; the practice is unsightly, impacts on site parking and traffic circulation, is detrimental to surrounding property and public safety concerns.

To address these issues staff is proposing a code change that would prohibit overnight parking of trucks over 26,000 pounds gross vehicle weight , semi-tractors or trailers in areas outside of designated loading bays or loading areas. The amendment would affect the following zoning districts: Office, General Commercial, Community Commercial, Neighborhood Commercial, Riverdale Transit and Regional Shopping.

### **RECOMMENDATION**

In Planning Case 12-9, staff recommends that the Planning Commission recommend approval of the proposed ordinance amendment to amend Section 11-1824 to limit the overnight parking of trucks, semi-tractors and trailers in commercial and office districts.

---

### **Attachments**

Proposed code change

---

## PROPOSED NEW SECTION

### 11-1824      Parking and Storage of Trucks, Semi Tractors and Trailers in Commercial and Office Districts

1) Parking and storing of trucks with a gross vehicle weight of 26,000 pounds or more, semi tractors and trailers in areas outside of designated loading bays and loading zones is unsightly, causes public safety concerns, impacts on site parking and traffic circulation and is detrimental to surrounding property values.

2) Between the hours of 9:00 p.m. and 6:00 a.m. it is a misdemeanor to park, store, maintain, or permit to be parked, stored, or maintained in a commercial or office district a truck with a gross vehicle weight of 26,000 pounds or more, or any semi tractor or trailer except as listed below:

a) This section does not apply to trucks, semi tractors or trailers parked at or queued for an approved loading dock or loading area, or which are being actively loaded or unloaded.